

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.:
)	
Plaintiff,)	
)	
vs.)	
)	
MULLETS CONSTRUCTION, LLC)	<u>COMPLAINT</u>
5861 Hyde Road)	
Windsor, Ohio 44099)	
)	
Defendant.)	
)	

The United States of America, by Rebecca C. Lutzko, United States Attorney for the Northern District of Ohio; brings this action to enforce civil penalties against the Defendant, Mullets Construction, LLC and for its complaint states that:

Parties

1. The Plaintiff is the United States.
2. The Defendant, Mullets Construction, LLC is a limited liability company organized under the laws of Ohio and has its principal place of business in Windsor, Ohio within the Northern District of Ohio.

Jurisdiction and Venue

3. This is an action brought to recover civil penalties owed by Mullets Construction, LLC to the United States Department of Labor, Occupational Safety and Health Administration (“OSHA”) for violations of the Occupational Safety and Health Act of 1970 (“the Act”), 29 U.S.C. § 651, et seq., and regulations promulgated thereunder. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1345, which grants district courts original jurisdiction of all civil actions commenced by the United States and 29 U.S.C. § 666(l), which authorizes civil

actions to recover OSHA penalties, and further authorizes such actions to be brought in the district where the violations occurred or where the Defendant has its principal offices.

COUNT 1

4. On January 10, 2019, DOL/OSHA issued a citation and notice of penalty against Defendant in the principal amount of \$5,543.00 for violations of the Act. A true and correct copy of the Citation and Notification of Penalty served on Defendant is attached hereto as Exhibit A.

5. Multiple demands for repayment have been made upon the Defendant by the United States, but the amount due remains unpaid.

6. Defendant owes Plaintiff the principal sum \$5,543.00 plus interest and penalties, as more fully set forth on the Certificate of Indebtedness attached hereto as Exhibit B.

DEMAND FOR RELIEF

WHEREFORE, Plaintiff demands judgment in its favor against Defendant Mullets Construction on Count 1 in the amount of \$5,543.00 principal, plus interest in the amount of \$254.26 accrued through September 20, 2023, at the rate of 1.00%, plus penalties in the amount of \$1,497.82 accrued through September 20, 2023 at the rate of 6.00%, plus administrative fees in the amount of \$2,659.47, plus interest and penalties from September 20, 2023 until the date of judgment, plus the statutory rate of interest pursuant to 42 C.F.R. § 405.378 to the date of judgment, plus costs.

Respectfully submitted,

REBECCA C. LUTZKO
United States Attorney

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